

794
BILL NO. Z-69-02- 07

ZONING MAP ORDINANCE NO. Z- 144-71

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. B-11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. B-11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the East Half of the West Half of Fractional Section 25, Township 31 North, Range 12 East, lying South of the right-of-way of the former Wabash and Erie Feeder Canal, now held by Indiana-Michigan Electric Company, and in particular described as follows, to-wit:

Commencing at the point of intersection of the centerline of Parnell Avenue by the southerly line of the right-of-way of said Indiana-Michigan Electric Company; thence running south on the said Parnell Avenue centerline, 105 feet; thence southwesterly by a deflection right of 67 degrees 38 minutes, a distance of 373 feet to a point 100 feet as measured on a line parallel to the said Parnell Avenue centerline, southward of the southerly line of said Indiana-Michigan Electric Company right-of-way; thence south on a line parallel to and 345 feet west of the said Parnell Avenue centerline, 365 feet, more or less, to the low water mark on the right bank of the St. Joseph River; thence westward along the said low water mark, with the meanderings thereof, 992 feet, more or less, to the west line of the East Half of the West Half of said Fractional Section, as defined by the east line of Newport Avenue, as established

in the plat of Highland Park Forest Addition, as recorded; thence north to the line aforesaid 30 feet, more or less to the southerly line of the right-of-way of said Indiana-Michigan Electric Company; thence northeast by a deflection right of 68 degrees, along the said right-of-way line 347.5 feet; thence northeast along the aforesaid right-of-way line, by a deflection right of 12 degrees 30 minutes, 540 feet; thence northeast along the aforesaid right-of-way line, by a deflection left of 12 degrees 25 minutes, 469.5 feet to the point of beginning; containing 4.05 Acres of land.

SUBJECT to public highway upon the east 25 feet thereof, occupied by Parnell Avenue, and Subject to the right-of-way of Indiana-Michigan Electric Company, upon a strip of land feet in width extending southward from the said former canal right-of-way to the low water mark of said river and situated parallel to and 345 feet west of the centerline of said Parnell Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.



APPROVED AS TO FORM
AND LEGALITY



CITY ATTORNEY

Read the first time in full and on motion by Rousseau seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~ the _____ day of _____, 196 , at _____ o'clock ~~P.M., E.S.T.~~

Date: 2-11-69

Thad D. Bonachoon
City Clerk

Read the third time in full and on motion by Tipton seconded by Robinson and duly adopted, placed on its passage.
Passed (~~Lost~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	<u> </u>	ABSENT	<u> </u>	to-wit:
Adams	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Dunifon	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Fay	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Geake	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Nuckols	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Robinson	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Rousseau	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Steigerwald	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Tipton	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	

Date 4-27-71

Thad D. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 2-144-71

on the 27th day of April, 196 71.

ATTEST: (SEAL)

Thad D. Bonachoon
City Clerk

Phil G. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of April, 196 71 at the hour of 8:30 o'clock A.M.,E.S.T.

Thad D. Bonachoon
City Clerk

Approved and signed by me this 28th day of April, 196 71, at the hour of 10:45 o'clock A.M.,E.S.T.

Harold A. Jais
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 11, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-02-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

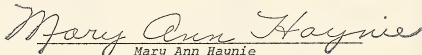
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 18, 1971;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby return said ordinance to the Common Council of the City of Fort Wayne with no recommendation;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 19, 1971.

Certified and signed this
20th day of April 1971.


Mary Ann Haynie
Secretary

Bill No. Z-69-02-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. B-11,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

HERBERT G. TIPTON, CHAIRMAN

JACK K. DUNIFON

THOMAS G. ADAMS

WILLIAM K. GEAKE

JOHN H. ROBINSON

Herbert G. Tipton
Jack K. Dunifon
Thomas G. Adams
Wm K. Geake
John H. Robinson

CONCURRED IN

DATE 4-27-71 FUAD G. BONAHOOM, CITY CLERK

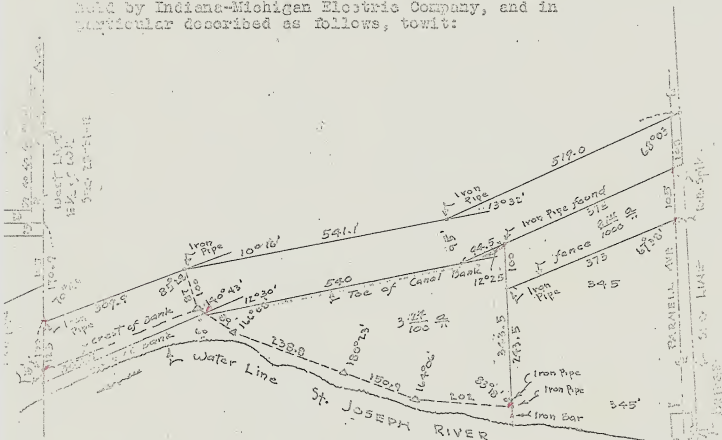


2-69-02-07

NUMBER

Registered in India,
No. 72

DESCRIPTION OF PROPERTY: Part of the East Half of the East Half of
Tract Section 25, Township 31 North, Range 12 East, lying South
of the right-of-way of the former Wabash and Erie Feeder Canal, now
held by Indiana-Michigan Electric Company, and in
particular described as follows, to-wit:



Subject to public highway upon the east 25 feet thereof, owned by
ELC, Inc., and Subject to the right-of-way of Indiana Electric
Company, upon a strip of land 100 feet in width owned by
WARD, and the said former canal right-of-way to the low water mark of
said river and situated parallel to and 345 feet west of the centerline
of the Hamilton Avenue.

~~RA~~ to BIB
RI

WITNESSES WHEREON, I place my hand and
the seal of the Court, this 10th day of June, 1939

Legal Notices

Notice is hereby given that on the 27th day of April, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map Ordinance, to-wit:

ZONING MAP ORDINANCE NO. 2-144-71 AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-11.

BE OBTAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the area described as follows is hereby designated as B-1-B District under the terms of Chapter 35, Municipal Code of the City of Fort Wayne, Indiana, that, as amended by Ordinance No. 2-232; and the symbols on the City of Fort Wayne Zoning Map No. B-11 referred to therein, established by Section 6, Article III of said Charter as amended, are hereby changed accordingly, to-wit:

1) north, from 15 East, lying south of the right-of-way of the former West Main and Erie Freeway Center, now held by Indiana-Michigan Electric Company, and in particular described as follows, to-wit:

Commencing at the point of intersection of the centerline of Pennell Avenue by the southerly line of the right-of-way of said Indiana-Michigan Electric Company, thence running south on the said Pennell Avenue centerline, 103 feet; thence south-westerly by a deflection right of 27 degrees 30 minutes, a distance of 100 feet, to a line parallel to the centerline of said Pennell Avenue, 345 feet; thence northwesterly to the southerly line of the right-of-way of the said Indiana-Michigan Electric Company, thence running south on a line parallel to and 345 feet west of the said Pennell Avenue centerline, 365 feet, more or less, to the low water mark on the right bank of the St. Joseph River; thence westerly along the said low water mark, with the meanderings thereof, 295 feet, more or less, to the west line of the east half of the West half of said Fractional Section, as established by the East line of Newport Avenue, as established in the plat of Highland Park Forest Addition, as recorded thence north to the line of said 30 feet, more or less, to the southerly line of the right-of-way of said Indiana-Michigan Electric Company, thence northeast by a deflection right of 48 degrees, along the said right-of-way line 347.5 feet; thence northeast along the aforesaid right-of-way line, by a deflection right of 12 degrees 30 minutes, 345 feet; thence northeast along the aforesaid right-of-way line, by a deflection left of 12 degrees 25 minutes, 495.5 feet to the point of beginning, containing 4.75 Acres of land.

SUBJECT to public highway upon the east 25 feet thereof, occupied by Pennell Avenue, and Subject to the right-of-way of Indiana-Michigan Electric Company, upon a strip of land, 100 feet in width extending southerly from the said former canal right-of-way to the low water mark of said river and situated parallel to and 345 feet west of the centerline of said Pennell Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor, and first publication thereof.

EDWIN J. ROUSSEAU, Councilman, Read the third time in full and on motion by Tipton seconded by Robinson and duly adopted, placed on its passage. Passed by the following vote:

Ayes: 10
Nays: none
Dated: 4-27-71

FIJAD G. BONAHOOM, City Clerk, Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-144-71 on the 27th day of April, 1971.

ATTEST: SEALL
FRUAD G. BONAHOOM, City Clerk,
Phil A. STEIGERWALD,
Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of April, 1971, at the hour of 8:30 o'clock A.M., E.S.T.

FIJAD G. BONAHOOM, City Clerk, Approved and signed by me this 28th day of April, 1971, at the hour of 10:45 o'clock A.M., E.S.T.

HAROLD S. ZEIS, Mayor, I, FIJAD G. BONAHOOM, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. 2-144-71 passed by the Common Council on the 27th day of April, 1971, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of April, 1971 and now remains on file and on record in my office.

WITNESSE my hand and the official seal of the City of Fort Wayne, Indiana, this 28th day of April, 1971.

FIJAD G. BONAHOOM, City Clerk.

5-11-16

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

May 11th and May 18th, 1971

Subscribed and sworn to before me this 19th day of May 1971.

Edith Stapleton
Notary Public

My commission expires March 8, 1974

Common Council City Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

136 lines, 1 columns wide equals equivalent lines at .288¢ \$ 39.17

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 120

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 5-19-71, 19

Tide ARVILLA DE WALD CLERK

Legal Notices

Notice is hereby given that on the 27th day of May, 1971, the Common Council of the City of Fort Wayne, Indiana, passed the following Ordinance, to-wit: "An Ordinance of the City of Fort Wayne, Indiana, to amend Ordinance No. 2-144-71 passed by the City of Fort Wayne, Indiana, on the 27th day of April, 1971, and that said Ordinance was duly filed and recorded in my office on the 27th day of May, 1971, and now remains on file and on record in my office."

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 19th day of May, 1971.

FRANK G. BOWMAN, City Clerk.

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE WALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

May 11th and May 18th, 1971

Subscribed and sworn to before me this 19th day of May 1971

Edith Stapleton
Notary Public

My commission expires March 8, 1974

Legals

Notice is hereby given that on the 27th day of April, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map Ordinance, to-wit:

ZONING MAP ORDINANCE NO. 2-144-71
AN ORDINANCE amending the City of Fort Wayne Zoning Map, No. 801,
AS IT IS AMENDED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the area described as follows is hereby designated as B-1-B District under the terms of the said Zoning Ordinance No. 2-144-71, and the symbols on the City of Fort Wayne Zoning Map No. 801 referred to therein, established by Section 5, Article III of said Charter as amended, are hereby changed accordingly, to-wit:

Port of the East Half of the West Half of Fractional Section 25, Township 31 North, Range 17 East, lying south of the intersection of the right-of-way of the Indiana-Michigan Electric Company, thence running south on the said Portwell Avenue centerline, 105 feet; thence southwesterly by a deflection right of 2 degrees 28 minutes, a distance of 275 feet, a point 104 feet as measured on a line parallel to the said Portwell Avenue centerline, southward of the southerly line of the Indiana-Michigan Electric Company right-of-way, thence south on the parallel to and 345 feet west of the said Portwell Avenue centerline, 345 feet, more or less, to the low water mark on the right bank of the St. Joseph River; thence westerward along the said low water mark, with the meanderings thereof, 892 feet, more or less, to the west line of the East Half of the West Half of said Fractional Section, as defined by the April issue of Newspaper Avenue, as established in the plat of Highpoint Park Forest Addition, as a correct fence north to the line thereunto 30 feet, more or less to the southerly line of the right-of-way of said Indiana-Michigan Electric Company; thence northeast by a deflection right of 48 degrees, along the said right-of-way line 347.5 feet; thence westerward along the aforementioned right-of-way line, by a deflection right of 2 degrees 28 minutes, 345 feet; thence northeast along the said right-of-way line, by a deflection left of 12 degrees 25 minutes, 49.5 feet to the point of beginning, containing 4.05 Acres of land.

SUBJECT to public highway upon the east 25 feet thereof, occupied by Portwell Avenue, and subject to the right-of-way of Indiana-Michigan Electric Company, upon a strip of land, 100 feet in width extending southward from the said former Canal right-of-way to the low water mark of said river and situated parallel to and 345 feet west of the centerline of said Portwell Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor and legal publication thereof.

EDWIN J. ROUSSEAU, Councilman,
Reads the third time in full and on motion by Tipton seconded by Robinson and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Allen, Dunton, Fay, Geake, Nickols, Robinson, Rousseau, Steigerwald, Tipton.
Nays: none.
Dated: 4-27-71.
FIJAD G. BONAHOOM, City Clerk.

Present and attested by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-144-71 on the 27th day of April, 1971.
ATTEST:
FIJAD G. BONAHOOM, City Clerk,
Phil A. STEIGERWALD,
Recording Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of April, 1971, at the hour of 8:30 o'clock A.M., E.S.T.

FIJAD G. BONAHOOM, City Clerk,
Approved and signed by me this 28th day of April, 1971, at the hour of 10:45 o'clock A.M., E.S.T.

HAROLD S. ZELK, Mayor,
I, Fijad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true and correct copy of Zoning Map Ordinance No. 2-144-71 passed by the Common Council on the 27th day of April, 1971, and that said Ordinance was duly passed, and approved by the Mayor on the 28th day of April, 1971 and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of April, 1971.
FIJAD G. BONAHOOM, City Clerk.
5-11-71.

PUBLISHER'S AFFIDAVIT

State of Indiana) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned, A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town, in state and county aforesaid, and that the printed attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

May 11 and May 18, 1971

Subscribed and sworn to before me this 19th day of May 19 71

Chitt Stapleton
Notary Public

My commission expires March 8, 1974

Common Council, City of Fort Wayne
(Governmental Unit)

To NEWS-SENT INEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1351136

COMPUTATION OF CHARGES

136 lines, 1 columns wide equals equivalent lines at .288¢ \$ 39.17
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 39.17

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions two

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date 5-19-71, 19

Title Clerk



PUBLISHER'S AFFIDAVIT

State of Indiana } as:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that she is Clerk of the

NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

May 11 and May 18, 1971

Subscribed and sworn to before me this 19th day of May 1971

My commission expires March 8, 1974

Notary Public